

Docket No. HUM00-23 (2976-4037)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Tim KEITH et al.

Group Art Unit: 1655

Serial No.: 09/627,465

Examiner: Juliet C. Einsmann

Filed: July 28, 2000

For: NOVEL HUMAN GENES RELATING TO RESPIRATORY DISEASES AND OBESITY

**AMENDMENT FEE TRANSMITTAL**

Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith is an Amendment for the above-identified application.

☒ No additional fee is required.

☐ The additional fee has been calculated as shown below:

**CLAIMS AS AMENDED**

	Claims Remaining After Amendment	Highest No. Covered by Previous Payments	Extra	Rate	Additional Fee
Total Claims*	-			\$18.00/ \$9.00	\$
Independent Claims	-			\$84.00/ \$42.00	\$
Multiple Dependent Claims	(If claims added by amendment include Multiple Dependent Claim(s) and there was no Multiple Dependent Claim(s) in application before amendment add \$280.00 to additional fee (\$140.00 for small entity).				\$
TOTAL					\$

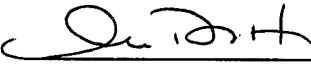
\*Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. §1.75(c).

☐ Small entity status is or has been claimed.  
Reduced Fees Under 37 C.F.R. §1.9(f) paid herewith \$

- ☐ \_\_\_\_\_ Pages Sequence Listing
- ☐ \_\_\_\_\_ Computer disk(s) containing substitute Sequence Listing
- ☐ Statement under 37 C.F.R. §1.825(b) that the computer and paper copies of the substitute Sequence Listing are the same.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this amendment, including all fees pursuant to 37 CFR §1.17 for its timely consideration, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2976-4037. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: November 19, 2002

By:   
Caryn DeHoratius  
Registration No. 45,881

Correspondence Address:

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1655  
Docket No. HUM00-23 (2796-4037)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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DEC 02 2002

TECH CENTER 1600/2900

Applicant(s): Tim KEITH et al.

Group Art Unit: 1655

Serial No.: 09/627,465

Examiner: Juliet C. Einsmann

Filed: July 28, 2000

For: NOVEL HUMAN GENES RELATING TO RESPIRATORY DISEASES AND OBESITY

**CERTIFICATE OF MAILING (37 C.F.R. §1.8(a))**

Commissioner for Patents  
Washington, DC 20231

Sir:

I hereby certify that the attached:

1. Amendment under 37 C.F.R. §1.111 (28 pages);
2. Amendment Fee Transmittal (2 pages);
3. Request for 2-Month Extension of Time (2 pages);
4. Fee for 2-Month Extension of Time (check for \$400.00);
5. Osoegawa et al. publication (14 pages);
6. Return Postcard

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, Washington, DC 20231.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

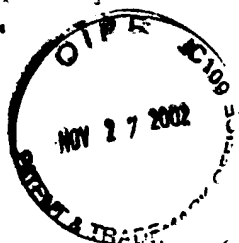
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By: 

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Docket No. HUM00-23 (2976-4037)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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TECH CENTER 1600/2900

Applicant(s): Tim KEITH et al.

Group Art Unit: 1655

Serial No.: 09/627,465

Examiner: Juliet C. Einsmann

Filed: July 28, 2000

For: NOVEL HUMAN GENES RELATING TO RESPIRATORY DISEASES AND OBESITY

**AMENDMENT IN RESPONSE TO THE NON-FINAL OFFICE ACTION**  
**DATED JUNE 19, 2002**

Commissioner for Patents  
Washington, DC 20231

Sir:

This Amendment is submitted under 37 C.F.R. §1.111 in response to the non-final Office Action dated June 19, 2002 in the above-identified patent application. Applicants respectfully request entry and consideration of this Amendment and accompanying papers at the time of examination of the application.

**IN THE CLAIMS**

Please cancel claims 43-45, 47, 49, 51, 55, 65-67, 69, 71, and 73-74, without disclaimer or prejudice.

Please amend claims 34, 37-38, 42, 46, 48, 52-54, 56, 59-60, 64, 68, 70, and 72 as shown below and in the Appendix, attached hereto.

34. (Once Amended) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

- (a) SEQ ID NO:1;
- (b) a complement of SEQ ID NO:1;